

March 26, 2024

The Honorable Chief Judge Laura Taylor Swain
United States District Court Southern District of New York
500 Pearl Street
New York New York, 10017 -1312
Civil Action No. 18-cv-0993 Trombetta vs. Novocin and WorthPoint Corporation

RE: Ms. Farmer's content in Doc. 544 and the attorneys failure to send Plaintiff Doc. 544.

To The Honorable Judge Laura Taylor Swain :

On March 25, 2024 WorthPoint's attorneys filed Doc. 544 yet failed to email the Plaintiff a copy which is standard protocol. Today I had to request, a copy of Doc. 544 see **EXHIBIT #1**. Throughout discovery and litigation, both Defendants often failed to email or send me court filings.

Plaintiff reiterates, it was WorthPoint's attorneys who failed to file under seal WorthPoint's 2009 sub licensing agreement as per Your Honor's request in Doc. 528 on Dec. 13, 2023. There would be no need for me to file WorthPoint's redacted 2009 sub licensing agreement on March 19, 2024, in Doc. if 542 if WorthPoint's attorneys, obeyed Your Order and followed Court protocol.

Plaintiff reminds Your Honor, Doc. 224 and 225, as referenced by Ms. Farmer in Doc. 544, is Plaintiff first Motion for Leave to Amend or Supplement my Complaint to include Fraud. My reasons for filing Doc. 224 and 225 in part, is due to WorthPoint's false "Confidential" claim on WP000038, WP000039 and WP000040. Use of my self written biography was not only incorrect, it was unethically purported by WorthPoint Corp. and attempts to create another false claim that my biography is WorthPoint's "Confidential" evidence. WorthPoint has no right to use or claim my self written biography, with my personal life experiences, only identifiable to the Plaintiff, as WorthPoint's "Confidential" evidence. My biography is not WorthPoint's property. I own it and it is on my website which has a public link <http://www.trombettaart.com/bio.html>. My link always had my CMI "*All work on this site are ©Annamarie Trombetta. All rights reserved* " and a DM ©A logo on my biography webpage. My CMI, is the only information from my biography that is not in WP000038 WP000039 and WP000040. I never had a copyright or licensing agreement with WorthPoint as WorthPoint webpage and written claimed in its the 1972 oil painting misattribution ad purported. This is a violation of the DMCA 1202 (a) and 1202 (b).

Plaintiff respects the opinions of Judge Cave, however, I own the exclusive rights to my self written biography and this truthful fact is immutable. Plaintiff is the only person who can grant my exclusive right to any third party to use my biography as I granted to askART in 2015. The facts remains unchanged. I never had any business involvement with WorthPoint or EAI, nor did I paint in oil paints in year 1972. My biography documents that I began my formal training in high school. Therefore, any use or "Confidential" labeling by WorthPoint regarding my biography, is another example of WorthPoint's intent to deceive and commit fraud which was duly noted in my Amended Complaint under No. 5) FRAUD ~ COUNT V ~ TANGIBLE CONVERSION (BIOGRAPHY IN CATOLOG) TAKING AND MISAPPROPRIATION PLAINTIFF BIOGRAPHY Plaintiff distinctly wrote under Fraud Count V WorthPoint's evidence and I stated :

“Defendants have produced as “Confidential “ WorthPoint evidence as WP00038, WP00039 and WP00040 which contains the Plaintiff’s complete biography as it is in my catalog and on my website. Defendants titled this document “Confidential-trombetta-terapeak-extract.” On Feb. 2, 2023 in Doc. 366 Judge Cave granted my Amended Complaint to include Fraud Count V.

The painting, “Man With Red Umbrella” still has on it a garbled and hard to read signature, as Norb Novocin’s testified, yet this signature was publicly touted by both Defendants as Plaintiff’s signature, even after I informed both parties it was indeed false. When I filed Doc. 224 and 225 in May 2022, I produced my 1972 handwriting in script and print to both Defendants seen by Judge Cave which are clearly different and not the same as the two 1972 oil painting signatures.

I also bring to the Court’s attention, Doc. 289, titled Bad Faith Toward Witnesses. In Doc. 295 thru Doc.297 filed on Oct. 13th and 14th, 2022, WorthPoint’s attorneys publicly filed Plaintiff’s all of my witnesses contact information on the public docket. Plaintiff had to request my witnesses contact information be sealed. I also note that in Doc. 301, filed on Oct. 19, 2022 Plaintiff’s made statements regarding my audio phone recordings and requested of Judge Cave the following :

3) In preparation for Summary Judgement, Plaintiff asks the Court if my audio phone calls, sent to the Defendants can be submitted with my Summary Judgement . Plaintiff notes that during the Conference call on April 26, 2022, Your Honor did state that my phone recordings will be heard at trial. My request is technical and timely, as I feel hearing the voices, tone and inflection of the conversation is more accurate than transcribing the dialogue and simply reading the text. In short, Plaintiff needs to know if I have to transcribe my audio calls into text in anticipation for Summary Judgement. Kindly advise. I need to complete any transcription of the audio calls as soon as possible.

Once again, my lawsuit was filed to protect my name, personal identity, brand, my self authored biography and my authentic artistic oeuvre. My request to grant Declaratory Relief from the 1972 oil painting “Man With Red Umbrella” and Permanent Injunctive Relief from both Defendants, so they can never use or associate my name with their business companies is the one of the chief reasons I filed Doc. 542. There is still allegedly a painting with my misspelled name and garbled signature on it, which increases the value of the 1972 oil painting. Defendant’s letter in Doc. 544 is yet another attempt to blame the Plaintiff when the attorneys failed to produce WorthPoint’s sub licensing agreement. WorthPoint failed to abide by the exclusive rights of the Plaintiff. In summary, there would be no problems or lawsuit if both Defendants would accept the truth and not repeatedly lie for years and coerce their false facts which forcefully and incorrectly attempt to rewrite the truthful facts of my life, onto the Plaintiff. My evidence proves the truth.

Pro Se Plaintiff
Annamarie Trombetta
175 East 96th Street (12 R)
New York, New York 10128

Respectfully Submitted,

————— Electronic Signature —————

/s/ Annamarie Trombetta March 26, 2024

Annamarie Trombetta



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Annamarie Trombetta [annamarietrombettalegal@outlook.com]

Sent: Tuesday, March 26, 2024 8:22 AM**To:** Farmer, Jana S. [Jana.Farmer@wilsonelser.com]; Adam Bialek [adam.bialek@wilsonelser.com]; Cahill, John [John.Cahill@wilsonelser.com]; ajd@hoganduff.com

To all attorneys,

It is mandatory to email Plaintiff all letters, filings and responses to the Court.

Plaintiff is requesting a copy of Doc.544 that was filed on March 25, 2024.

Thank you in advance for Doc. 544.

Sincerely,
Annamarie Trombetta

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